

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

: Chapter 13  
Frank J. Peta, Jr., :  
Debtor. : Bankruptcy No. 19-13264-MDC

**O R D E R**

**AND NOW**, upon consideration of (i) the Claim Objection<sup>1</sup> filed by the Debtor, Frank J. Peta, Jr. (the “Debtor”), and (ii) the Stay Relief Motion filed by Tompkins VIST Bank f/k/a Allegiance Bank of North America (the “Bank”), and for the reasons set forth in the accompanying Memorandum,

**IT IS HEREBY ORDERED** that:

1. The Claim Objection is **OVERRULED** to the extent it objects to any component other than the attorneys’ fees sought for preparing and filing the motions to continue the Sheriff’s Sales in the Foreclosure Action.
2. The Claim Objection is **SUSTAINED** to the extent it objects to the Bank’s attorneys’ fees sought for preparing and filing the motions to continue the Sheriff’s Sales in the Foreclosure Action.
3. The allowed amount of the Bank’s Claim is **REDUCED** by \$13,635.52, reflecting the attorneys’ fees related to the motions to continue the Sheriff’s Sales in the Foreclosure Action, resulting in an allowed claim in the amount of \$180,702.37.
4. The Stay Relief Motion is **DENIED** to the extent it seeks relief pursuant to §362(d)(4) of the Bankruptcy Code.

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<sup>1</sup> Capitalized terms used herein but not defined shall have the meaning given to them in the Court’s accompanying Memorandum.

5. The Stay Relief Motion is **HELD IN ABEYANCE** to the extent it seeks relief pursuant to §362(d)(1) of the Bankruptcy Code, pending the hearing on the motion to dismiss the Debtor's bankruptcy case currently scheduled for March 4, 2021 (the "Dismissal Hearing").

6. The Bank shall produce at the Dismissal Hearing an updated accounting of the Debtor's Loan account as of March 1, 2021. The Bank shall provide a copy of the accounting to Debtor's counsel on or before March 2, 2021.

Dated: February 10, 2021



MAGDELINE D. COLEMAN  
CHIEF U.S. BANKRUPTCY JUDGE

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